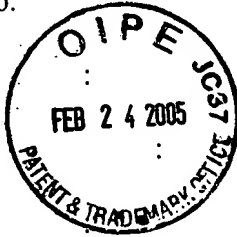


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : SUDO, Fukuharu *et al.*  
Appl. No. 09/674,576  
Filed : November 1, 2000  
Title : CONTENTS SELECTION SYSTEM  
Art Unit : 2654  
Examiner : HAN, Qi



745 Fifth Avenue  
New York, NY 10151

**EXPRESS MAIL**

Mailing Label Number: ER 740847460 US

Date of Deposit: February 24, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: **Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Chiaki Kokka

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

**COMMUNICATION LETTER**

Commissioner of Patents  
Mail Stop RCE  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to MPEP § 706.07(f), Applicants have not enclosed a payment for an extension fee to file the enclosed RCE. An Amendment after Final was filed on October 15, 2004 in response to the Final Office Action dated August 24, 2004. Therefore, the reply was within the

2-month period from the date of the Final Office Action. As of this date, February 24, 2005, no Advisory Action has been received by Applicants.

On February 15, 2005, a status telephone call was placed to the Examiner to determine the disposition of this case. Although the Amendment After Final had been received and logged into the United States Patent and Trademark database, the Amendment After Final had not reached the Examiner's desk for review.

However, if the United States Patent and Trademark Office (USPTO) deems that additional fees are due in order to file the Enclosed Request for Continued Examination, please debit Account No. 50-0320 for any fees associated with this communication.

The following outlines the reasons why Applicants believe no extension fees are due:

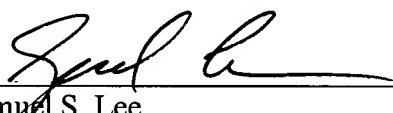
- A Final Office Action dated August 24, 2004 was received in our office;
- An Amendment Under Rule 116 was mailed to the USPTO on October 15, 2004 via Express Mail No. ED 450553847 US as evidenced by the attached: (1) Deposit Declaration from the 1<sup>st</sup> page of the enclosed Amendment under Rule 116; (2) the confirmation return post card stamped by the USPTO with date mailed of October 15, 2004;
- The Examiner stated in a status telephone call that the Amendment Under Rule 116 has not yet been docketed to the examiner by the Receiving Office at the USPTO, however, the database system did indicate that the Amendment After Final had been received at the USPTO; and
- Under the Rules of MPEP § 706.07(f), the Amendment under Rule 116 was filed within the two-month period from the mailing date of the Final Office Action.

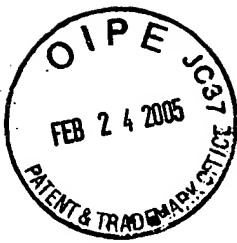
Since Applicants did not receive an Advisory Action within the statutory period, it is respectfully submitted that no extension fees are due at the time of filing the Request for Continued Examination.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:

  
\_\_\_\_\_  
Samuel S. Lee  
Reg. No. 42,791  
Telephone: (212) 588-0800  
Facsimile: (212) 588-0500



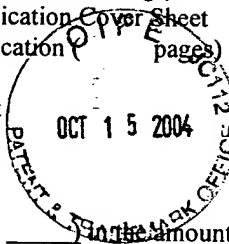
## RETURN POST CARD

ATTORNEY DOCKET 450101-02387

Applicant: Fukuharu SUDO et al.  
Appl. No.: 09/674,576  
Filing Date: November 1, 2000  
Entitled: CONTENTS SELECTION SYSTEM

## Enclosed:

- |   |  |
|---|--|
| <input type="checkbox"/> Patent Application Transmittal                           | <input checked="" type="checkbox"/> Certificate of Express Mailing |
| <input type="checkbox"/> Patent Application                                       | (Express Mail No. <u>ED 450553847 US</u> )                         |
| (____ pages, ____ sheets of drawings)   | <input type="checkbox"/> IDS                                       |
| <input type="checkbox"/> Provisional Patent Application Cover Sheet               | <input type="checkbox"/> USPTO Form 1449 and References            |
| <input type="checkbox"/> Provisional Patent Application (____ pages)              | <input type="checkbox"/> Priority Document(s)                      |
| <input type="checkbox"/> RCE Transmittal  | <input type="checkbox"/> Nonpublication Request                    |
| <input type="checkbox"/> Preliminary Amendment                                    | <input type="checkbox"/> Declaration/Power of Attorney             |
| <input checked="" type="checkbox"/> Amendment                                     | <input type="checkbox"/> Signed <input type="checkbox"/> Unsigned  |
| <input checked="" type="checkbox"/> Fee Transmittal                               | <input type="checkbox"/> Assignment                                |
| <input checked="" type="checkbox"/> Return Post Card                              | <input type="checkbox"/> Assignment Recordation Cover Sheet        |
| <input type="checkbox"/> USPTO Form 2038 (No. _____) In the amount of \$ _____.00 |  |
| <input type="checkbox"/> Other: _____   |  |



Today's Date: 10/15/04

Due Date: 11/24/04

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